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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65971

Yoshio NITTA

Appln. No.: 09/938,506

Group Art Unit: 2661

Confirmation No.: 2893

Examiner: Not yet Assigned

Filed: August 27, 2001

For: COMMUNICATION SYSTEM AND METHOD DETERMINING USER FEE ON THE BASIS OF
QUALITY OF SERVICE**INFORMATION DISCLOSURE STATEMENT**
UNDER 37 C.F.R. §§ 1.97 and 1.98Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**

MAY 20 2004

Technology Center 2600

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

1. Japanese Unexamined Patent Application Publication No. 2000-232395, published
August 22, 2000.
2. Japanese Unexamined Patent Application Publication No. 2000-183902, published
June 30, 2000.
3. Japanese Unexamined Patent Application Publication No. 2000-78196, published
March 14, 2000.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 09/938,506

(RCE) under § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. § 1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding Japanese Office Action dated April 19, 2004 and an English translation of the pertinent portions thereof which cites such documents and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

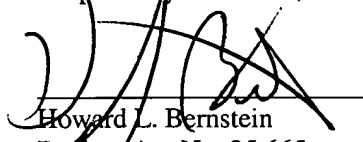
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WASHINGTON OFFICE

23373

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Respectfully submitted,


Howard L. Bernstein
Registration No. 25,665

Date: May 19, 2004



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STATEMENT UNDER 37 C.F.R. § 1.704(d)

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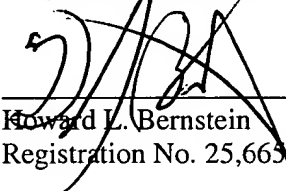
Technology Center 2600

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed
concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign
application, and that the communication was not received by any individual designated in
37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

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MAY 19 2004

Sheet

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of

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Application Number	09/938,506
Confirmation Number	2893
Filing Date	August 27, 2001
First Named Inventor	Yoshio NITTA
Art Unit	2661
Examiner Name	Not yet Assigned
Attorney Docket Number	Q65971

[illegible][illegible]

Examiner Signature

Date Considered

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.